

At the end of subtitle B of title XII, add the following:

**SEC. 1224. REPEAL OF AUTHORIZATIONS FOR USE OF MILITARY FORCE AGAINST IRAQ.**

(a) FINDINGS.—Congress makes the following findings:

(1) The Authorization for Use of Military Force Against Iraq Resolution (Public Law 102-1; 105 Stat. 3; 50 U.S.C. 1541 note), enacted on January 14, 1991 (in this preamble “the 1991 AUMF”), and the Authorization for Use of Military Force Against Iraq Resolution of 2002 (Public Law 107-243; 116 Stat. 1498; 50 U.S.C. 1541 note), enacted on October 16, 2002 (in this preamble “the 2002 AUMF”), currently remain valid law.

(2) Recent presidential administrations have maintained that the 2002 AUMF only serves to “reinforce” any legal authority to combat ISIS provided by the Authorization for Use of Military Force (Public Law 107-40; 115 Stat. 224; 50 U.S.C. 1541), enacted September 18, 2001, and is not independently required to authorize any such activities.

(3) Repealing the 1991 AUMF and the 2002 AUMF would therefore not affect ongoing United States military operations.

(4) Since 2014, United States military forces have operated in Iraq at the request of the Government of Iraq for the sole purpose of supporting its efforts to combat ISIS, consistent with the Strategic Framework Agreement that Iraq and the United States signed on November 17, 2008.

(5) During a press briefing on December 24, 2020, Commander of the United States Central Command, General Frank McKenzie, reiterated that United States forces are in Iraq “at their invitation”.

(6) Secretary of State Antony J. Blinken and Prime Minister Mustafa Al-Kadhimi of Iraq discussed “the Iraqi government’s responsibility and commitment to protect U.S. and Coalition personnel in Iraq at the government’s invitation to fight ISIS” in a February 16, 2021, phone call.

(7) Secretary of Defense Lloyd J. Austin III stated on February 19, 2021, that he “welcomed that expanded NATO mission in Iraq that responds to the desires and aspirations of the Iraqi government”.

(8) In a February 23, 2021, call with Prime Minister Mustafa Al-Kadhimi of Iraq, President Joseph R. Biden affirmed United States support for Iraq’s “sovereignty and independence”.

(9) Neither the 1991 AUMF nor the 2002 AUMF are being used as the sole legal basis for any detention of enemy combatants currently held by the United States.

(10) Authorizations for the use of military force that are no longer necessary should have a clear political and legal ending.

(b) REPEAL OF AUTHORIZATION FOR USE OF MILITARY FORCE AGAINST IRAQ RESOLUTION.—The Authorization for Use of Military Force Against Iraq Resolution (Public Law 102-1; 105 Stat. 3; 50 U.S.C. 1541 note) is hereby repealed.

(c) REPEAL OF AUTHORIZATION FOR USE OF MILITARY FORCE AGAINST IRAQ RESOLUTION OF 2002.—The Authorization for Use of Military Force Against Iraq Resolution of 2002 (Public Law 107-243; 116 Stat. 1498; 50 U.S.C. 1541 note) is hereby repealed.

**SA 4134.** Mr. KAINE submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military

personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. 1283. CLARIFICATION OF REQUIREMENTS FOR CONTRIBUTIONS BY PARTICIPANTS IN THE AMERICAN, BRITISH, CANADIAN, AND AUSTRALIAN ARMIES’ PROGRAM.**

Section 1274 of the National Defense Authorization Act for Fiscal Year 2013 (10 U.S.C. 2350a note) is amended—

(1) by amending subsection (c) to read as follows:

“(c) CONTRIBUTIONS BY PARTICIPANTS.—

“(1) IN GENERAL.—An agreement under subsection (a) shall provide that—

“(A) the United States, as the host country for the Program, shall provide office facilities and related office equipment and supplies for the Program; and

“(B) each participating country shall contribute its equitable share of the remaining costs for the Program, including—

“(i) the agreed upon share of administrative costs related to the Program, except the costs for facilities and equipment and supplies described in subparagraph (A); and

“(ii) any amount allocated against the country for monetary claims as a result of participation in the Program, in accordance with the agreement.

“(2) EQUITABLE CONTRIBUTIONS.—The contributions, as allocated under paragraph (1) and set forth in an agreement under subsection (a), shall be considered equitable for purposes of this subsection and section 27(c) of the Arms Export Control Act (22 U.S.C. 2767(c)).

“(3) AUTHORIZED CONTRIBUTION.—An agreement under subsection (a) shall provide that each participating country may provide its contribution in funds, in personal property, in services required for the Program, or any combination thereof.

“(4) FUNDING FOR UNITED STATES CONTRIBUTION.—Any monetary contribution by the United States to the Program that is provided in funds shall be made from funds available to the Department of Defense for operation and maintenance.

“(5) CONTRIBUTIONS AND REIMBURSEMENTS FROM OTHER PARTICIPATING COUNTRIES.—

“(A) IN GENERAL.—The Secretary of Defense may accept from any other participating country a contribution or reimbursement of funds, personal property, or services made by the participating country in furtherance of the Program.

“(B) CREDIT TO APPROPRIATIONS.—Any contribution or reimbursement of funds received by the United States from any other participating country to meet that country’s share of the costs of the Program shall be credited to the appropriations available to the appropriate military department, as determined by the Secretary of Defense.

“(C) TREATMENT OF PERSONAL PROPERTY.—Any contribution or reimbursement of personal property received under this paragraph may be—

“(i) retained and used by the Program in the form in which it was contributed;

“(ii) sold or otherwise disposed of in accordance with such terms, conditions, and procedures as the members of the Program consider appropriate, and any resulting proceeds shall be credited to appropriations of the appropriate military department, as described in subparagraph (B); or

“(iii) converted into a form usable by the Program.

“(D) USE OF CREDITED FUNDS.—

“(i) IN GENERAL.—Amounts credited under subparagraph (B) or (C)(ii) shall be—

“(I) merged with amounts in the appropriation concerned;

“(II) subject to the same conditions and limitations as amounts in such appropriation; and

“(III) available for payment of Program expenses described in clause (ii).

“(ii) PROGRAM EXPENSES DESCRIBED.—The Program expenses described in this clause include—

“(I) payments to contractors and other suppliers, including the Department of Defense and participating countries acting as suppliers, for necessary goods and services of the Program;

“(II) payments for any damages or costs resulting from the performance or cancellation of any contract or other obligation in support of the Program;

“(III) payments or reimbursements for other Program expenses; or

“(IV) refunds to other participating countries.”; and

(2) by striking subsection (g).

**SA 4135.** Mr. KAINE submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title III, add the following:

**SEC. 318. DEPARTMENT OF DEFENSE STORMWATER MANAGEMENT PROJECTS FOR MILITARY INSTALLATIONS AND DEFENSE ACCESS ROADS.**

(a) IN GENERAL.—Subchapter I of chapter 169 of title 10, United States Code, is amended by inserting after section 2815 the following new section:

**“§2815a. Stormwater management projects for installation and defense access road resilience and waterway and ecosystems conservation**

“(a) PROJECTS AUTHORIZED.—The Secretary concerned may carry out a stormwater management project on or related to a military installation for the purpose of—

“(1) improving military installation resilience or the resilience of a defense access road or other essential civilian infrastructure supporting the military installation; and

“(2) protecting nearby waterways and stormwater-stressed ecosystems.

“(b) PROJECT METHODS AND FUNDING SOURCES.—A stormwater management project may be carried out under this section as, or as part of, any of the following:

“(1) An authorized military construction project.

“(2) An unspecified minor military construction project under section 2805 of this title, including using appropriations available for operation and maintenance subject to the limitation in subsection (c) of such section.

“(3) A military installation resilience project under section 2815 of this title, including using appropriations available for operations and maintenance subject to the limitation of subsection (e)(3) of such section.

“(4) A defense community infrastructure resilience project under section 2391(d) of this title.

“(5) A military construction project under section 2914 of this title.

“(6) A reserve component facility project under section 18233 of this title.

“(7) A defense access road project under section 210 of title 23.

“(c) **PROJECT PRIORITIES.**—In selecting stormwater management projects to be carried out under this section, the Secretary concerned shall give a priority to project proposals involving the retrofitting of buildings and grounds on a military installation or retrofitting a defense access road to reduce stormwater runoff.

“(d) **PROJECT ACTIVITIES.**—Activities carried out as part of a stormwater management project under this section may include the following:

“(1) The installation, expansion, or refurbishment of stormwater ponds and other water-slaking and retention measures.

“(2) The installation of permeable pavement in lieu of, or to replace existing, non-permeable pavement.

“(3) The use of planters, tree boxes, cisterns, and rain gardens to reduce stormwater runoff.

“(e) **PROJECT COORDINATION.**—In the case of a stormwater management project carried out under this section on or related to a military installation and any project related to the same installation carried out under section 2391(d), 2815, or 2914 of this title, the Secretary concerned shall ensure coordination between the projects regarding the water access, management, conservation, security, and resilience aspects of the projects.

“(f) **ANNUAL REPORT.**—(1) Not later than 90 days after the end of each fiscal year, each Secretary concerned shall submit to the congressional defense committees a report describing—

“(A) the status of planned and active stormwater management projects carried out by that Secretary under this section; and

“(B) all projects completed by that Secretary during the previous fiscal year.

“(2) Each report submitted under paragraph (1) shall include, with respect to each stormwater management project described in the report, the following information:

“(A) The title, location, a brief description of the scope of work, the original project cost estimate, and the current working cost estimate.

“(B) The rationale for how the project will—

“(i) improve military installation resilience or the resilience of a defense access road or other essential civilian infrastructure supporting a military installation; and

“(ii) protect waterways and stormwater-stressed ecosystems.

“(C) Such other information as the Secretary concerned considers appropriate.

“(g) **DEFINITIONS.**—In this section:

“(1) The term ‘defense access road’ means a road certified to the Secretary of Transportation as important to the national defense under section 210 of title 23.

“(2) The terms ‘facility’ and ‘State’ have the meanings given those terms in section 18232 of this title.

“(3) The term ‘military installation’ includes a facility of a reserve component of an armed force owned by a State rather than the United States.

“(4) The term ‘Secretary concerned’ means—

“(A) the Secretary of a military department with respect to military installations under the jurisdiction of that Secretary; and

“(B) the Secretary of Defense with respect to matters concerning the Defense Agencies and facilities of a reserve component owned by a State rather than the United States.”.

(b) **CLERICAL AMENDMENT.**—The table of sections at the beginning of subchapter I of such title is amended by inserting after the item relating to section 2815 the following new item:

“2815a. Stormwater management projects for installation and defense access road resilience and waterway and ecosystems conservation.”.

**SA 4136.** Mrs. GILLIBRAND (for herself and Mr. TILLIS) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title V, add the following:

**SEC. 596. AUTHORIZATIONS FOR CERTAIN AWARDS.**

(a) **SHORT TITLE.**—This section may be cited as the “Memorializing Overwhelmingly Gallant Actions that Defended Individual Soldiers and Honored Units Act” or “MOGADISHU Act”.

(b) **DISTINGUISHED SERVICE CROSS TO EARL R. FILLMORE, JR. FOR ACTS OF VALOR IN SOMALIA.**—

(1) **WAIVER OF TIME LIMITATIONS.**—Notwithstanding the time limitations specified in section 7274 of title 10, United States Code, or any other time limitation with respect to the awarding of certain medals to persons who served in the Armed Forces, the Secretary of the Army may award the Distinguished Service Cross under section 7272 of such title to Earl R. Fillmore, Jr. for the acts of valor in Somalia described in paragraph (2).

(2) **ACTS OF VALOR DESCRIBED.**—The acts of valor referred to in paragraph (1) are the actions of Earl R. Fillmore, Jr. on October 3, 1993, in Somalia for which he was previously awarded the Silver Star Medal.

(c) **DISTINGUISHED SERVICE CROSS TO WILLIAM F. THETFORD FOR ACTS OF VALOR IN SOMALIA.**—

(1) **WAIVER OF TIME LIMITATIONS.**—Notwithstanding the time limitations specified in section 7274 of title 10, United States Code, or any other time limitation with respect to the awarding of certain medals to persons who served in the Armed Forces, the Secretary of the Army may award the Distinguished Service Cross under section 7272 of such title to William F. Thetford for the acts of valor in Somalia described in paragraph (2).

(2) **ACTS OF VALOR DESCRIBED.**—The acts of valor referred to in paragraph (1) are the actions of William F. Thetford on October 3 and 4, 1993, in Somalia for which he was previously awarded the Silver Star Medal.

(d) **DISTINGUISHED SERVICE CROSS TO JOHN G. MACEJUNAS FOR ACTS OF VALOR IN SOMALIA.**—

(1) **WAIVER OF TIME LIMITATIONS.**—Notwithstanding the time limitations specified in section 7274 of title 10, United States Code, or any other time limitation with respect to the awarding of certain medals to persons who served in the Armed Forces, the Secretary of the Army may award the Distinguished Service Cross under section 7272 of such title to John G. Macejunas for the acts of valor in Somalia described in paragraph (2).

(2) **ACTS OF VALOR DESCRIBED.**—The acts of valor referred to in paragraph (1) are the actions of John G. Macejunas on October 3 and 4, 1993, in Somalia for which he was previously awarded the Silver Star Medal.

(e) **DISTINGUISHED SERVICE CROSS TO ROBERT L. MABRY FOR ACTS OF VALOR IN SOMALIA.**—

(1) **WAIVER OF TIME LIMITATIONS.**—Notwithstanding the time limitations specified in section 7274 of title 10, United States Code, or any other time limitation with respect to the awarding of certain medals to persons who served in the Armed Forces, the Secretary of the Army may award the Distinguished Service Cross under section 7272 of such title to Robert L. Mabry for the acts of valor in Somalia described in paragraph (2).

(2) **ACTS OF VALOR DESCRIBED.**—The acts of valor referred to in paragraph (1) are the actions of Robert L. Mabry on October 3 and 4, 1993, in Somalia for which he was previously awarded the Silver Star Medal.

**SA 4137.** Mrs. GILLIBRAND submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title V, add the following:

**SEC. 576. CLARIFICATION AND EXPANSION OF PROHIBITION ON GENDER-SEGREGATED TRAINING IN THE MARINE CORPS.**

Section 565 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116-92; 10 U.S.C. 8431 note prec.) is amended—

(1) in the heading, by inserting “**AND OFFICER CANDIDATES SCHOOL**” after “**DEPOTS**”;

(2) in subsection (a)(1)—

(A) by striking “training” and inserting “no training platoon”; and

(B) by striking “not”;

(3) in subsection (b)(1)—

(A) by striking “training” and inserting “no training platoon”; and

(B) by striking “not”; and

(4) by adding at the end the following new subsections:

“(c) **NEW LOCATION.**—No training platoon at a Marine Corps recruit depot established after the date of the enactment of this Act may be segregated based on gender.

“(d) **OFFICER CANDIDATES SCHOOL.**—

“(1) **PROHIBITION.**—Subject to paragraph (2), training at Officer Candidates School, Quantico, Virginia, may not be segregated based on gender.

“(2) **DEADLINE.**—The Commandant of the Marine Corps shall carry out this subsection not later than five years after the date of the enactment of this Act.”.

**SA 4138.** Mrs. GILLIBRAND submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title V, insert the following: